

Also in subsection (c)(1) of this section, the former reference to a person being sentenced "as otherwise provided for in this section" is deleted as included in the introductory language to subsection (a) of this section.

Also in subsection (c)(1) of this section, the reference to a person who is "guilty of a felony" for a violation of this section is deleted as redundant since a violation of § 5-607 is a felony regardless of the amount of controlled dangerous substance involved. This section is merely a sentence enhancing provision.

In subsection (c)(2) of this section, the reference to the "mandatory minimum" sentence is substituted for the former reference to "that term of imprisonment" for clarity and consistency within this subtitle.

Also in subsection (c)(2) of this section, the former statement that "it is mandatory upon the court to impose" the minimum sentence is deleted as implicit. Subsection (c)(1) of this section sets a minimum penalty and subsection (c)(2) of this section prohibits a court from suspending any part of that penalty.

Also in subsection (c)(2) of this section, the former prohibition that "neither that term of imprisonment nor any part of it" may be suspended is deleted as included in the reference to the prohibition against the suspension of "any part" of the sentence.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that subsection (a)(9) of this section relating to a quantity of phencyclidine is ambiguous. The reference to "ounces" could be either a measurement of volume or of weight.

Defined terms: "Controlled dangerous substance" § 5-101

"Dispense" § 5-101

"Distribute" § 5-101

"Manufacture" § 5-101

"Marijuana" § 5-101

"Person" § 1-101

"Possess" § 5-101

#### 5-613. DRUG KINGPIN.

##### (A) "DRUG KINGPIN" DEFINED.

IN THIS SECTION, "DRUG KINGPIN" MEANS AN ORGANIZER, SUPERVISOR, FINANCIER, OR MANAGER WHO ACTS AS A COCONSPIRATOR IN A CONSPIRACY TO MANUFACTURE, DISTRIBUTE, DISPENSE, TRANSPORT IN, OR BRING INTO THE STATE A CONTROLLED DANGEROUS SUBSTANCE.

##### (B) DRUG KINGPIN CONSPIRACY; PENALTY.

(1) A DRUG KINGPIN WHO CONSPIRES TO MANUFACTURE, DISTRIBUTE, DISPENSE, TRANSPORT IN, OR BRING INTO THE STATE A CONTROLLED DANGEROUS SUBSTANCE IN AN AMOUNT LISTED IN § 5-612 OF THIS SUBTITLE IS GUILTY OF A